

EXHIBIT P

Cooper, Monte

From: Esquenet, Margaret [margaret.esquenet@finnegan.com]
Sent: Wednesday, June 14, 2006 10:06 AM
To: Guy, Hopkins
Cc: Cooper, Monte; Nagel, Robert; Sadasivan, Bhanu; dan.hampton@hklaw.com; Hurst, Annette L.; Schoenfeld, Meredith; Hornick, John; Hart, Pat; Joczek
Subject: ConnectU v. Facebook

Dear Hopkins:

We received your letter regarding the depositions of Tyler and Cameron Winklevoss. We note that unless Facebook Defendants are conceding that the lawsuit filed by ConnectU LLC equals a lawsuit filed by its Members (you have argued that Cameron and Tyler, not ConnectU, were the real parties in interest when the Complaint was filed), neither Tyler nor Cameron is a plaintiff in this action. Please let us know your position on this point. If Facebook Defendants so concede, please let us know if you will agree to file a stipulation with the Court, before June 22, to the effect that ConnectU was the real party in interest when the Complaint was filed.

Assuming that Facebook Defendants do not so concede, the Notices are defective. Specifically, neither notice included a subpoena (required for a non-party, see F.R.C.P. 45) nor was either notice served until June 13. Seven days is insufficient and unreasonable notice under either Rule 30 or Rule 45. Facebook Defendants could have noticed these depositions (which relate to Cameron's and Tyler's citizenship on September 2, 2004) much earlier, rather than noticing ConnectU's deposition. For the same reasons, your insistence that Cameron and Tyler must appear in Boston is similarly inapplicable, as neither is a plaintiff in this action. In light of these defects, the witnesses have no duty to appear. Nonetheless, in the spirit of cooperation, we suggest the following compromise:

1. All Defendants, including the "Facebook Defendants" and Saverin, fully respond to ConnectU's Interrogatory No. 28 by June 19, 2006. It will be Facebook Defendants' responsibility to obtain the response from Saverin;
2. On June 20, 2006, assuming Facebook Defendants and Saverin have fully answered Interrogatory No. 28, Cameron and Tyler Winklevoss will appear for the requested depositions, to be taken by telephone. These depositions will be limited to the state of citizenship of each witness and the subject matter of their June 12, 2006 declarations, and will last no more than two hours each, beginning at 12:00 pm EST and ending at 4:00 pm EST. Both Cameron and Tyler Winklevoss are currently in Princeton, New Jersey with the U.S. National Rowing Team and will appear for their telephone depositions from that location.

Regarding your proposal for the hearing, we agree that the parties will exchange exhibit lists by 12 :00 pm EST on June 21, and that the listed exhibits will be pre-marked. For the sake of clarity at the hearing, we suggest that Plaintiff's exhibits be marked with numbers (e.g. Plaintiff's Ex. 1) and Defendants' exhibits be marked with letters (e.g. Defendants' Exhibit A). We also suggest that the parties exchange witness lists at that time. Once the parties exchange exhibit and witness lists, we can determine how to avoid duplication.

We look forward to receiving your response to our compromise proposal.

6/19/2006

Sincerely,
Margaret

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6/19/2006